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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIAN ANTHONY GATES,

Plaintiff,

v.

STARBUCKS COFFEE CORPORATION,

Defendant.

Case No. C07-1835-MJP

ORDER OF DISMISSAL

The Court, having reviewed plaintiff's proposed complaint and application to proceed *in forma pauperis* ("IFP") in this civil action, together with all materials in support of and in opposition to those documents, the Report and Recommendation of United States Magistrate Judge James P. Donohue, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's motion for leave to proceed IFP (Dkt. No. 1) is DENIED and his proposed complaint (Dkt. No. 1-1) is DISMISSED without prejudice.
- (3) The Clerk of Court is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 2 day of Jan., 2007.

MARSHA J. PECHMAN

United States District Judge



07-CV-01835-ORD